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Heard learned counsel for the petitioners, learned counsel for the private opposite party and learned State Counsel.

This writ petition arises out of an order passed by the competent authority under the Regulation-II of 1956.

Considering the rival contentions of the parties and after perusal of the pleadings of the parties under Annexures-1 & 2, this Court finds, the claim of the non-tribe allthrough is based on a creation of title on the basis of an adverse possession involving the disputed property. Considering the claim of right through adverse possession in the case of properties particularly belonging to Scheduled Tribe by non-tribe, the Honble Apex Court in the case in between Amarendra Pratap Singh vs. Tej Bahadur Prajapati & Ors. as reported in AIR 2004 SCC 3782, in clear terms held that there is no question of applying principle of adverse possession involving Scheduled Tribe property and entertaining such plea will frustrate the purpose behind Regulation-II of 1956.

Under the circumstances, this Court finds, the claim of the petitioner is hit by the decision of the Honble Apex Court and both the authorities since decided the dispute in terms of the decision of the Honble Apex Court, this Court finds, no infirmity in the impugned order.

Accordingly, this writ petition stands dismissed.

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(Biswanath Rath, J.)